

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN ACKER ET AL.,

Plaintiffs,

v.

DOEREN MAYHEW &
COMPANY, ET AL.,

Defendants.

CIVIL ACTION NO. 08-11261

DISTRICT JUDGE ARTHUR J. TARNOW

MAGISTRATE JUDGE MARK A. RANDON

CONSOLIDATED WITH

WILLIAM BIRCHFIELD, ET AL,

Plaintiffs,

v.

DOEREN MAYHEW &
COMPANY, ET AL.,

Defendants.

CIVIL ACTION NO. 09-13140

DISTRICT JUDGE ARTHUR J. TARNOW

MAGISTRATE JUDGE MARK A. RANDON

ORDER GRANTING PLAINTIFF'S MOTION
TO COMPEL SUBJECT TO A PROTECTIVE ORDER

This matter having come before the Court on Plaintiff's Motion to Compel Discovery from David Findling (Dkt. No. 45, Dkt. No. 8), the Court having reviewed Plaintiff's motion, as well as the response of Defendant, having held oral argument, and otherwise being fully advised:

IT IS ORDERED that Plaintiff's Motion to Compel Discovery from David Findling IS GRANTED as follows:

David Findling Assignee for the Benefit of Creditors of E-M Management shall produce in electronic format the Master Investor Spreadsheet ("Spreadsheet") of November, 2009, subject to the following terms and conditions:

- 1) The Spreadsheet shall be sent to Norah Molnar, Dennis Haffey, Scott Seabolt ("Recipients") via electronic e-mail within twenty-four (24) hours of entry of this order;
- 2) Recipients each shall maintain only (1) electronically stored file of the Spreadsheet.
- 3) Each recipient is authorized to make two (2) hard copy printouts of the Spreadsheet, at a time. Such hard-copy printouts must be stamped "COPY" in red or blue ink.
- 4) Each recipient may show the Spreadsheet or authorized print-out to its clients or any facilitator or counsel for any party's insurer while in the recipients' presence. The client or facilitator may not make any copy of any part of the Spreadsheet or authorized copy.

SO ORDERED.

s/Mark A. Randon
MARK A. RANDON
UNITED STATES MAGISTRATE JUDGE

Dated: December 10, 2009

Certificate of Service

I hereby certify that a copy of the foregoing document was served on the parties of record on this date, December 10, 2009, by electronic and/or first class U.S. mail.

s/Melody R. Miles
Case Manager to Magistrate Judge Mark A. Randon
(313) 234-5542